

APPROVED: Meeting No. 16-81

ATTEST:

William E. Hanna, Jr.

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 12-81

April 27, 1981

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber Rockville City Hall, Maryland at Vinson Street, Rockville Maryland, on Monday, April 27, 1981.

PRESENT

Mayor pro-tem John Tyner

Councilman Steve Abrams

Councilwoman Phyllis Fordham

Councilman John Freeland

ABSENT

Mayor William E. Hanna, Jr.

The Mayor pro-tem in the Chair.

In attendance: City Manager Larry Blick; City Clerk Heler Heneghan; Assistant City Manager Daniel Hobbs; City Attorney Roger Titus; Assistant City Attorney Sondra Harans Block; Information Officer Sue M. Patterson; Director of Finance John Lawton; Director of Community Development Douglas Horne; Director of Public Works Robert Goodin.

Re: City Manager's Report

Mr. Blick reported the following:

1. The CETA program will be ending for the City on May 29. All CETA positions used by the City were of a temporary nature and none were in critical jobs.
2. The bid was opened on April 3 for the traffic signal at the intersection of Gude and Taft. The department expects a July completion.
3. The spring leaf collection has been completed and was done on schedule.
4. Dover Road was opened to traffic in December of 1980. The asphalt surface has now been laid and completed this past week.

Mayor pro-tem Tyner said that Montgomery County will be making a decision on Cable TV by May 19. He suggested the Council consider an agenda item on the City's position on Cable Television before the May 28 Maryland Municipal meeting.

Re: Approval of Recommendations for
the Use of Maryvale School

In accordance with the policy adopted by the Mayor and Council for dealing with unneeded school sites, an analysis of the Maryvale School was submitted to the Planning Commission and the Recreation and Park Advisory Board for review and comment. The issue had been previously discussed by the Croydon Park Neighborhood Planning Advisory Group.

The results of these reviews are as follows:

- A) The Croydon Park Neighborhood Advisory Group recommended that the former Maryvale School be razed and the land converted to park use. The CPNAG further recommended that the school parking lot be retained for park use.
- B) The Recreation and Park Advisory Board expressed concern about the deteriorating condition of the building and unanimously agreed that the structure should be demolished and the land utilized for park purposes.
- C) The Planning Commission recommended that the site evaluation process be reexamined and revised to include a planning review dealing with neighborhood planning and/or socio-demographic trends. The Commission felt it was not appropriate to endorse prenegotiated plans for specific school sites.

Inasmuch as the Maryvale School is in an advanced state of deterioration, staff feels that action be taken as soon as possible. It is, therefore, recommended that the County be urged to demolish the former Maryvale School Building as soon as possible and that the City assume the role of caretaker for the property after demolition. The property could then be utilized as unimproved or passive parkland in conjunction with the adjacent Maryvale Park.

Councilwoman Fordham asked about the Planning Commission's concern and questioned the City Manager as to the evaluation process suggested by the Commission. The City Manager agreed the Planning Commission had given fine advice, however he said the building is in a bad state and is a blight to the neighborhood. It would be nice to have the luxury of time for a study, but action is needed at this time. Councilwoman Fordham asked if the Planning Commission would be studying a site evaluation process. The City Manager said if there were a plan at this time, the City could follow it, but it is hard to take the time to study every school in the City with the idea that it might close at some time or another. He said that if the Council approves the staff's

recommendation, a letter will be developed for the Mayor's signature to the Courty Executive suggesting the site be razed at the County's expense and then an open-space grant be applied for maintenance of the property.

On motion of Councilwoman Fordham, duly seconded and unanimously passed, the Council adopted the staff's recommendations as outlined above.

Re: Adoption of Ordinance: To
grant Street Closing Application,
SCA-26-80, WMATA, Applicant

Ordinance No. 17-81

On motion of Councilman Freeland, duly seconded and unanimously passed, Ordinance No. 17-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council granting Street Closing and Abandonment Application, SCA-26-80, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To
grant Street Closing Application,
SCA-27-80, WMATA, Applicant

Ordinance No. 18-81

On motion of Councilwoman Fordham, duly seconded and unanimously passed, Ordinance No. 18-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council granting Street Closing and Abandonment Application, SCA-27-80, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To
grant Street Closing Application,
SCA-28-80, WMATA, Applicant

Ordinance No. 19-81

On motion of Councilman Freeland, duly seconded and unanimously passed, Ordinance No. 19-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council, granting Street Closing and Abandonment Application, SCA-28-80, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To
grant Street Closing Application,
SCA-29-80, WMATA, Applicant

Ordinance No. 20-81

On motion of Councilman Abrams, duly seconded and unanimously passed, Ordinance No. 20-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council, granting Street Closing and Abandonment Application, SCA-29-80, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To grant
Street Closing and Abandonment
Application, SCA-30-80, WMATA,
Applicant

Ordinance No. 21-81

On motion of Councilwoman Fordham, duly seconded and unanimously passed, Ordinance No. 21-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council, granting Street Closing and Abandonment Application, SCA-30-80, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To grant
Street Closing Application,
SCA-31-80, WMATA, Applicant

Ordinance No. 22-81

On motion of Councilman Abrams, duly seconded and unanimously passed, Ordinance No. 22-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council, granting Street Closing and Abandonment Application, SCA-31-80, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To grant
Street Closing Application,
SCA-32-80, WMATA, Applicant

Ordinance No. 23-81

On motion of Councilman Freeland, duly seconded and unanimously passed, Ordinance No. 23-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council, granting Street Closing and Abandonment Application, SCA-32-80, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To grant
Street Closing Application,
SCA-33-80, WMATA, Applicant

Ordinance No. 24-81

On motion of Councilwoman Fordham, duly seconded and unanimously passed, Ordinance No. 24-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council, granting Street Closing and Abandonment Application, SCA-33-80, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To amend Chapter 7, Section 7-2.19 of the Laws of Rockville, entitled Water and Sewer Utilities, to provide the authority to the City Manager for the adjustment of utility bills under certain circumstances

Ordinance No. 25-81

On motion of Councilwoman Fordham, duly seconded and unanimously passed, Ordinance No. 25-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council, providing the authority to the City Manager for the adjustment of utility bills under certain circumstances, was adopted by the Mayor and Council.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. COG, re resolution on Handgun Control
2. Edward Roberts, thank you note
3. Montgomery County, re redistricting
4. Mrs. Linda Nasvaderani, re closure of Broome
5. Anne Decker, re closure of Washington Street
Gene Marcello, re closure of Washington Street
6. G. C. Vidmar, re apartment conversion
7. Wm. F. Walters, re commendation of City employee
8. Edward Funk, re neighborhood problems

Re: Information Items

The Mayor and Council noted the following items of information:

1. Memo from CIAC re sign chapter in Historic District Plan
2. Copy of invitation to Business Forum and Orientation
3. Memo from City Attorney re Montgomery Realty and Investment Corp. v. Mayor and Council
4. Memo from Director of Planning (4/9) re North Street

Mayor pro-tem Tyner asked if North Street would be extended only if there were further development. The City Manager explained that North Street should not be constructed to empty onto North Washington Street. One-way traffic could take it to Martins Lane with the proper development in that neighborhood. Mayor pro-tem Tyner asked that notice of the City's actions on this be sent to the residents of Haiti since there could be some interest in the immediate neighborhood even though the civic association as a whole was not interested.

5. Memo from Director of Planning (3/5) re State Railroad Plan

Councilwoman Fordham noted that it is very important to preserve any railroad line as a means of transportation for many years. She asked that the City take a position that this not be done away with. Activities should be started at this time so that the City can be part of the process. There should be no terminal in Rockville. The Up-County line should not be terminated before Silver Spring.

Re: Citizen's Forum

The Mayor pro-tem opened the meeting to those citizens who wished to address the Mayor and Council.

1. Bernard Gaunt, 308 Lincoln Avenue. Mr. Gaunt thanked the staff for the replacement of the fence at the Lincoln Park Community Center but said that there are some caps on the top railing now that need replacement. He also noted that the storm drain at Douglas Avenue needs some work. He thanked the staff for placing the trash can near the Center since it does help to keep the place free of litter.

There being no other citizen wishing to address the Mayor and Council, the Mayor pro-tem closed the citizen's forum portion of the meeting.

Re: Public Hearing: A proposed Ordinance that would require occupancy permits and prohibit the conveyance of certain property without first obtaining such a permit

The Mayor and Council conducted a public hearing on a proposed ordinance that would require occupancy permits and prohibit the conveyance of property without first obtaining such a permit, and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other citizen wishing to be heard, the Mayor pro-tem declared that the hearing be closed and the record be held open for two weeks.

Re: Executive Session

On motion of Councilman Abrams, duly seconded and unanimously passed, the meeting was closed for executive session to discuss litigation.

Re: Adjournment

There being no further business to come before the Council in executive session, the meeting was adjourned at midnight to convene again in work session on Saturday, May 2, at 10:30 a.m.